

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PENNSYLVANIA PUBLIC SCHOOL	:	CIVIL ACTION NO.
EMPLOYEES' RETIREMENT SYSTEM,	:	11-CV-00733-WHP
individually and on behalf of all others	:	
similarly situated,	:	
	:	
Plaintiff,	:	CLASS ACTION
	:	
v.	:	
	:	
BANK OF AMERICA CORPORATION, et al.,	:	MOTION OF LEAD
	:	PLAINTIFF PENNSYLVANIA
	:	PUBLIC SCHOOL
	:	EMPLOYEES' RETIREMENT
	:	SYSTEM FOR CLASS
Defendants.	:	CERTIFICATION
	:	

PLEASE TAKE NOTICE that upon the authorities and exhibits in the accompanying Memorandum of Law in Support of Lead Plaintiff Pennsylvania Public School Employees' Retirement System's Motion for Class Certification and Declaration of Mark R. Rosen in Support of Lead Plaintiff's Motion for Class Certification and all exhibits appended thereto, and the parties having met and conferred concerning the present matter, Lead Plaintiff, Pennsylvania Public School Employees' Retirement System, will move this Court, before the Honorable William H. Pauley, III, United States District Judge, at the United States Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York, for entry of an order, pursuant to Rules 23(a), 23(b)(3) and 23(g) of the Federal Rules of Civil Procedure, certifying a class consisting of all persons or entities who purchased or otherwise acquired Bank of America Corporation ("BofA" or the "Company") common stock or Common Equivalent Securities ("CES") from February 27, 2009 through October 19, 2010 (the "Class Period"), and suffered damages as a result. Excluded from the Class are: (a) Defendants; (b) members of the

immediate family of each of the Executive Defendants; (c) any person who was an executive officer and/or director of BofA during the Class Period; (d) any entity that served as an underwriter for BofA's CES offering; (e) any person, firm, trust, corporation, officer, director, or any other individual or entity in which any Defendant has a controlling interest or which is affiliated with any of the Defendants; and (f) the legal representatives, agents, affiliates, heirs, successors-in-interest or assigns of any such excluded party; (2) certifying Lead Plaintiff as representative of the Class; and (3) appointing Barrack, Rodos & Bacine as Class Counsel.

PLEASE TAKE FURTHER NOTICE that papers in response to this motion or any portion thereof must be filed and served on or before December 20, 2013, and reply papers in further support of this motion must be filed and served on or before January 10, 2014.

Dated: November 15, 2013

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